No. 8000094

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Ben Fish & Son

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LARGE LIMA BEAN

'Dompe 95'

PLANT VARIETY PROTECTION OFFICE · U.S. DEPARTMENT OF AGRICULTURE

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington *this* 24th *day of* September *in the year of our Lord one thousand nine hundred and* eighty-one.

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

FORM APPROVED
OMB NO. 40-R3822

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY	1b. VARIETY NAME	FOR OFFICIAL USE ONLY
	'DOMPE 95'	PV NUMBER 8000094

2. KIND NAME	3. GENUS AND SPECIES NAME	FILING DATE	TIME
Large Lima Bean	~~Large Lima~~ – ~~Bush~~ ~~White Seed Coat~~ *Phaseolus lunatus* JEF 8/10/04	4/24/80	1:30 A.M. / P.M.

4. FAMILY NAME (BOTANICAL)	5. DATE OF DETERMINATION	FEE RECEIVED	DATE
Leguminosae ~~*Phaseolus Lunatus*~~ JEF 8/10/04	December, 1976	$ 500.00 / $ 250.00	4/24/80 / 8/31/81

6. NAME OF APPLICANT(S)	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*	8. TELEPHONE AREA CODE AND NUMBER
Ben Fish & Son	P.O. Box 417 Crows Landing, Calif. 95313	(209) 837-4725

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION	11. DATE OF INCORPORATION
Division of Dompe Warehouse Co.	California 6/17/55	6/17/55

12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:
A.G. Mendoza
P.O. Box 417
Crows Landing, Calif. 95313

13. **CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:**

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Novelty Statement.
- [X] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [X] 13D. Exhibit D, Additional Description of the Variety.

JEF 8/10/04

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See Section 83(a). (If "Yes," answer 14B and 14C below.)* [ ] YES [X] NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?	14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?
[ ] YES [ ] NO	[ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? [ ] YES [X] NO *(If "Yes," give name of countries and dates.)*

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? [ ] YES [X] NO *(If "Yes," give name of countries and dates.)*

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? [X] YES [ ] NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

4/14/80 (DATE) — Paul L Drape (SIGNATURE OF APPLICANT)

1

(DATE) — (SIGNATURE OF APPLICANT)

FORM GR-470 (1-78)

wd 08:1

APR 24 1980

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and $500 fee ($250 filing fee and $250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.

13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.

13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.

13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.

14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)

15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

LIMA BEAN 8000094

'DOMPE 95'

EXHIBIT 13-A

Origin and Breeding History of the Variety

1. Genealogy:

In 1971, an individual pole lima outcross was discovered in a bulk field increase of Green Seeded Fordhook bush lima.

In 1972, this individual was planted and identified as, 107-72-G. It was found to be segregating to pole and bush plant types. The pole types were removed and the bush types left to mature. One bush was selected and identified as, 107-72-G-1, and had the following segregating characteristics; round plump seeds (like fordhook), and flattish plump seeds (like commercially grown large lima).

'DOMPE 95' was derived from the progeny of bush selection 107-72-G-1.

2. Individual plant selection was the method used in subsequent stages of selection and multiplication, from 1972 through 1976.

3. The type of variants during reproduction and multiplication were identified by the segregation of:

a. small to large plant size
b. round plump to large flat seed size and shape
c. green to white dry seed coat color
d. green to white dry cotelydon color
e. medium wide to narrow pod width
f. medium long to short pod length

No data was retained on the frequency of variants during reproduction. The only plant types of interest were those having; large lima seed shape and size, white seed coat, white cotelydon and large bush.

4. 'DOMPE 95' large lima bush appeared stable and uniform in 1976 and was corroborated for three subsequent years in our seed increase program. 'DOMPE 95' has the following characteristics:

a. large bush type plants
b. green cotelydon at emergence (indicative of white cotelydon dry seed)
c. variegated primary leaves
d. set high and low within plant structure
e. medium long narrow pods
f. medium large flattish plump seeds with white seed coat and white cotelydon

There are no variants in 'DOMPE 95'.

8000094

Exhibit 13-B
Lima Bean, bush
'DOMPE 95'

Novelty Statement

'DOMPE 95' is most similar to University of California variety 'VENTURA BUSH'. 'DOMPE 95' differs from 'VENTURA BUSH' in having pods that are shorter and more narrow. 'DOMPE 95' has variegated primary leaves, 'VENTURA BUSH' has ~~segregating~~ variegated and single colored primary leaf plants.

SEP 810505

Addendum Exhibit 13-B

The frequency of variegated and simgle color primary leaf plants for "Ventura Bush" is; 25% single color and 75% variegated.

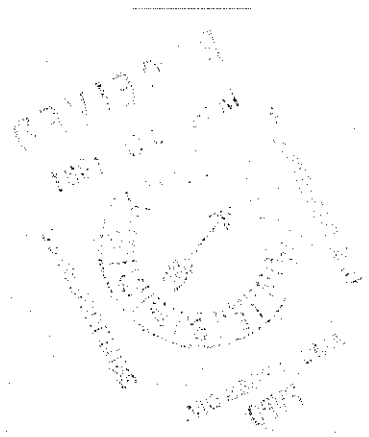
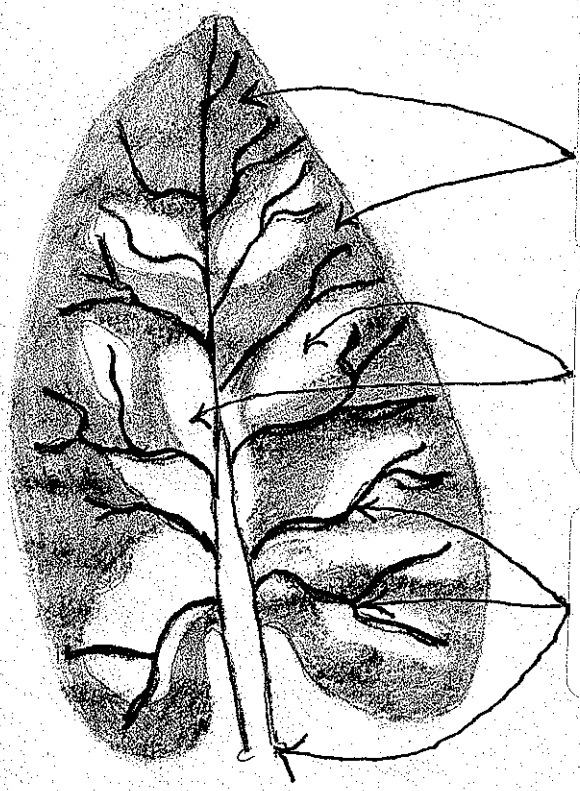


EXHIBIT 13-B
Lima Bean, Bush
'DOMPE 95'

type of primary leaf for 'Dompe 95' #7 810305

VARIEGATED PRIMARY LEAF



Primary color
Green plus Black
(Dark Green)

Secondary color
Blue Violet plus Yellow
(Grey Green)

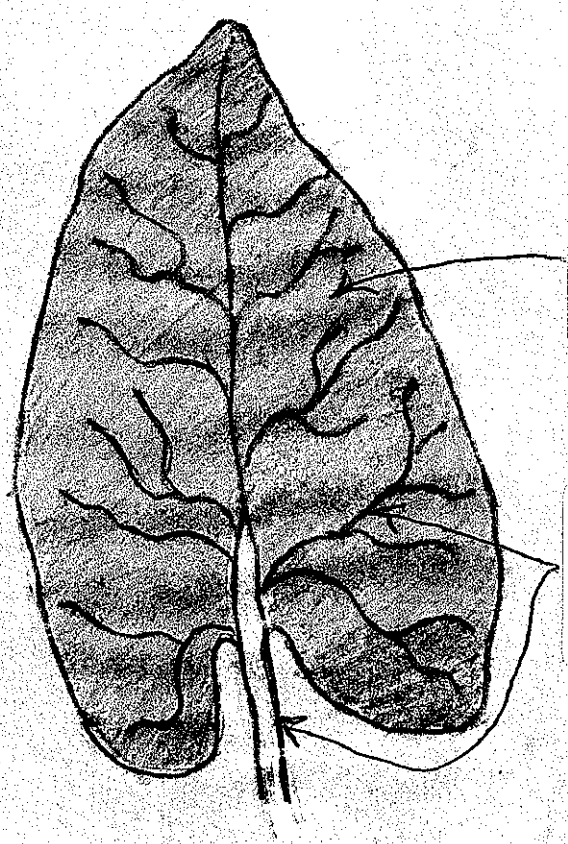
Stem and vein color
Blue plus Yellow
(Yellow Green)

Color standard
'Color Computer'
M. Grumbacher, Inc.
460 West 34th Street
New York, N. Y. 10001

EXHIBIT 13-B
Lima Bean, Bush
' DOMPE 95 '
does not occur in 'Dompe 95'

187 810305

Single color
Primary leaf



Primary color
Green plus Black
(Dark Green)

Stem and vein color
Blue plus Yellow
(Yellow Green)

Color standard
'Color Computer'
M. Grumbacher, Inc.
460 West 34th Street
New York, N.Y. 10001

FORM GR-470-15 (1/77)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN AND SEED DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED: OMB NO. 40-R3712

EXHIBIT C
(Lima Bean)

OBJECTIVE DESCRIPTION OF VARIETY

REFERENCES: See Reverse.

LIMA BEAN *(PHASEOLUS LUNATUS)*

NAME OF APPLICANT(S)
Ben Fish and Son

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
P. O. Box 417
Crows Landing, CA 95313

FOR OFFICIAL USE ONLY
PVPO NUMBER
VARIETY NAME OR TEMPORARY DESIGNATION

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. [0 8 9] or [0 9]) when number is either 99 or less or 9 or less.

1. TYPE:
[2] 1 = GREEN SHELL 2 = DRY EDIBLE 3 = DUAL PURPOSE

2. REGION OF ADAPTABILITY IN THE U.S.:
[6] Best adapted in: 1 = NORTHWEST 2 = NORTHCENTRAL 3 = NORTHEAST 4 = SOUTHEAST 5 = SOUTHWEST 6 = MOST REGIONS

3. MATURITY (Days from seeding to first harvest):
[~~0 0~~] GREEN SHELLS Jef 810 365 — [1 2 0] DRY SEEDS

[0 0] No. of days *Earlier* than: .... [7]
[0 2] No. of days *Later* than ...... [7]
1 = HENDERSON BUSH 2 = THAXTER 3 = BURPEE'S IMPROVED BUSH 4 = SIEVA 5 = FLORIDA BUTTER 6 = KING OF THE GARDEN 7 = OTHER (Specify) 'Ventura Bush'

4. PLANT:
[2] 1 = DETERMINATE, ERECT BUSH 2 = DETERMINATE, SPRAWLING BUSH 3 = DETERMINATE, SEMIPOLE 4 = INDETERMINATE, POLE

[0 5 7] CM. HEIGHT

[0 1] CM. LENGTH OF FIRST INTERNODE ABOVE PRIMARY LEAF

[5 2] CM. SPREAD

[1 5] NUMBER INTERNODES ON MAIN STALK BETWEEN PRIMARY LEAF AND BASE OF TERMINAL INFLORESCENCE

[0 2] MM. STALK DIAMETER ABOVE FIRST TRIFOLIATE LEAF

[2] Main stalk: 1 = BRITTLE 2 = WIREY

[1] Main stalk: 1 = STOUT 2 = THIN

[3] Flower position:
[3] Pod position:
1 = LOW, CONCENTRATED 2 = HIGH, CONCENTRATED 3 = SCATTERED

5. LEAVES:
[1] 1 = SMOOTH 2 = WRINKLED

[1] 1 = DULL 2 = GLOSSY

[2] Thickness: 1 = THIN 2 = MEDIUM 3 = THICK

[2] Size: 1 = SMALL (Sieva) 2 = MEDIUM 3 = LARGE (Prizetaker)

[0 3] CM. PETIOLE LENGTH (To basal leaflets of first trifoliate leaf)

[2] Tip shape of center leaflet: 1 = ROUNDED 2 = TAPER POINTED 3 = SHARP POINTED

[1] PUBESCENCE - Dorsal:
[2] PUBESCENCE - Ventral:
1 = NONE 2 = SLIGHT 3 = CONSIDERABLE

[1] Color: 1 = GRAY GREEN 2 = MEDIUM GREEN (Burpee's Improved Bush) 3 = DARK GREEN (Sieva)

6. FLOWERS:
[1] Color: 1 = WHITE 2 = CREAM 3 = PINK 4 = LILAC 5 = PURPLE 6 = OTHER (Specify)

[30] Racemes: CM. TO BASE OF TERMINAL FLORET

[2 0] NUMBER FLOWERS PER RACEME

7. FRESH PODS:

[1] Color: 1 = LIGHT GREEN (Thaxter) 2 = MEDIUM GREEN (Florida Butter) 3 = DARK GREEN (Thorogreen Early) 4 = OTHER (Specify) _____

[1 0] CM. LENGTH [1 5] MM. WIDTH (Between sutures) [1 5] MM. THICKNESS [1 0] WIDTH / THICKNESS X 10

[2] Cross section pod shape: 1 = FLAT 2 = OVAL 3 = ROUND [3] Curvature: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[3] MM. SPUR LENGTH [2] Spur: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] Surface: 1 = SHINY 2 = DULL [1] Surface: 1 = SMOOTH 2 = BLISTERED

[1] Pubescence: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE [2] NUMBER OF SEEDS PER POD

1 [2 5] NUMBER PODS PER PLANT (Once over harvest) [1] Machine harvest: 1 = ADAPTED 2 = NOT ADAPTED

Condition of pods at once-over harvest: [9 9] % DRY [0 1] % YELLOW [0 0] % GREEN

8. SEEDS:

[1] 1 = MONOCHROME 2 = POLYCHROME [1] 1 = SHINY 2 = DULL

[0 1] Primary color: [0 4] Secondary color: 1 = WHITE 2 = GREENISH WHITE 3 = GREEN 4 = YELLOW 5 = BUFF 6 = TAN 7 = BROWN 8 = PINK 9 = RED 10 = PURPLE 11 = BLACK 12 = OTHER (Specify) _____

[0] Color pattern: 1 = SPLASHED 2 = MOTTLED 3 = STRIPED 4 = FLECKED 5 = DOTTED

[1] Secondary color location: 1 = HILAR RING 2 = HILAR SURFACE 3 = STROPHIOLE 4 = MICROPYLE 5 = SIDES 6 = DORSAL SURFACE 7 = NOT RESTRICTED TO ANY AREA 8 = COMBINATION OF LOCATIONS (Specify) _____

[2] Hilar ring: 1 = NOT PRESENT 2 = NARROW 3 = WIDE 4 = BUTTERFLY SHAPED [2] Vein-like under coat pattern: 1 = ABSENT 2 = PRESENT

[1] Cotyledon color: 1 = WHITE 2 = PALE GREEN 3 = GREEN [1] Seed coat 1=SMO 2=WRN

9. SEED SHAPE AND SIZE:

[1] Hilum view: 1 = FLAT 2 = ELLIPTICAL 3 = OVAL 4 = ROUND [1] Side view: 1 = OVAL 2 = ROUND 3 = KIDNEY 4 = TRUNCATE ENDS

[2] Cross section: 1 = FLAT 2 = ELLIPTICAL 3 = OVAL 4 = ROUND 1 [0 5] GM. WEIGHT PER 100 SEEDS

[4] Classification: 1 = SIEVA 2 = INTERMEDIATE 3 = FORDHOOK

[1 2] MM. WIDTH (Dorsal to ventral) [0 6] MM. THICKNESS (Side to side)

[2 0] MM. LENGTH [2 0] WIDTH / THICKNESS X 10

10. ANTHOCYANIN: (1 = Absent, 2 = Present)

[1] FLOWERS [1] STEM [1] PODS [1] SEEDS [1] LEAVES

11. DISEASE RESISTANCE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

[0] RUST (Specify race) _____	[0] ANGULAR LEAF SPOT	[0] BACTERIAL WILT
[0] COMMON BEAN MOSAIC	[0] ANTHRACNOSE	[0] LIMA BEAN MOSAIC
[0] SOUTHERN BEAN MOSAIC	[0] FUSARIUM ROOT ROT	[0] CURLY TOP
[0] N.Y. 15 BEAN MOSAIC	[0] DOWNY MILDEW	[0] POWDERY MILDEW
[0] BEAN MOSAIC VIRUS 4	[0] HALO BLIGHT	[0] FUSCOUS BLIGHT
[0] ALFALFA MOSAIC VIRUS	[0] ALFALFA MOSAIC VIRUS 2	[0] POD MOTTLE VIRUS
[0] RED NODE VIRUS	[0] ROOT KNOT NEMATODE	[00] OTHER (Specify) _____

12. INSECT RESISTANCE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

[0] APHIDS	[0] LEAF HOPPERS	[0] POD BORER	[0] LYGUS
[0] THRIPS	[0] WEAVILS	[0] SEED CORN MAGGOT	[0] OTHER (Specify)

13. PHYSIOLOGICAL RESISTANCE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

[0] HEAT	[0] COLD	[2] DROUGHT	[0] OTHER (Specify)

REFERENCES

The following publications may be used as references in completing this form:

1. Beans of New York. Vol. 1 Part II of Vegetables of New York. U.P. Hedrick et al. J. B. Lyon Company, Albany, N.Y. 1931.

2. Yarnell, S. H., Cytogenetics of the Vegetable Crops IV. Legumes. Bot. Rev. 31:247 - 330. 1965.

3. USDA Yearbook of Agriculture. 1937.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.

COMMENTS:

item no, 7 average of 10 plants

Color standard 'Color Computer' (enclosed)
M. Grumbacher, Inc.
460 West 34th Street
New York, N. Y. 10001

EXHIBIT 13-D

Additional description of 'Dompe 95'

'Dompe 95' is a white seed coat large lima bush, Phaseolus lunatus. 'Dompe 95' is similar to 'Ventura Bush' except it has pods that are shorter and more narrow.

Using a basis of 1000 pods data indicates, as listed below:

'Dompe 95' averaged 9.2 cm in length and 15 ~~m~~cm in width *1st 810313*

'Ventura Bush' averaged 11.3 cm in length and 22.1 mm in width

~~(error of mean difference at the 5 % level)~~
significantly different at the 5% probability level.

1st 810505